IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 514 OF 2007

Pramod Shankarlal Sarda and others ...Petitioners

Versus

The Authorised Officer, The Karad Urban Co-op. Bank Ltd. and another ... Respondents

Mr. K.J. Hakani, instructed by M/s. Sushil Nimbhkar, Anand R.Deshpande and Anand Kulkarni, for the petitioners.

Mr. J.Shekhar for respondent No.1.

CORAM: **H.L. GOKHALE, Ag. C.J.,** & **V.M. KANADE, J.**

DATE: **JANUARY 23, 2007**.

P.C.

Heard Mr. Hakani in support of the petition. Mr. Shekhar appears for respondent No.1.

2. The petition seeks to challenge the notice dated 14th November, 2006, issued by the Karad Urban Co-operative Bank Limited, for recovery of certain amounts from the petitioners. Earlier one notice was issued for this recovery and the D.R.T., Pune, found the same to be defective for the reason that the notice was published in

two newspapers which were both vernacular newspapers. It was also not shown that the notice was pasted on some conspicuous place of the property. It is for this reason that the action taken by the Bank was interfered. Now the Bank has issued a fresh notice and it proposes to comply with these defects which were detected when the earlier notice was challenged. Mr.Hakani seeks leave to withdraw this petition and to raise his objections with respect to this notice of recovery at later point of time. Petition is allowed to be withdrawn.

ACTING CHIEF JUSTICE

V.M. KANADE, J.